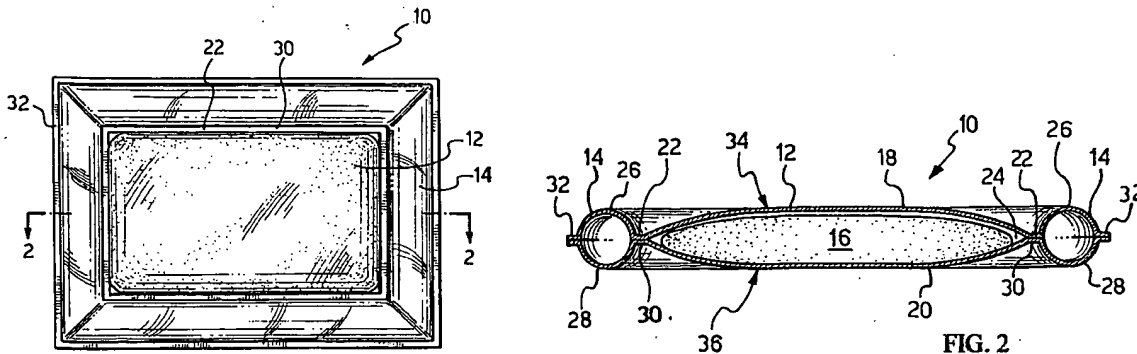


Figure 2 of Pharo

However, the inflation of the Pharo top and bottom chambers 22, 22a to compress the packaged article runs directly contrary to the purpose of the Cohen package. Cohen is directed to packaging “food that is somewhat more fragile than most” such as potato chips. (Column 1, lines 10-11, 16.) In fact, Cohen sought to overcome the problem of larger potato chip bags, where the “chips at the bottom become broken from the sheer weight of those above.” (Column 1, lines 22-23.)

If the Cohen package were modified to incorporate the top and bottom inflation chambers of Pharo, then upon inflation of those chambers, the potato chips would be crushed between the inflated chambers. The motivation to combine references to form a *prima facie* obviousness case is lacking because the proposed combination would render the Cohen packaging unsatisfactory for its intended use. See MPEP §2143.01 (V.).

Further, even if the Pharo top and bottom chambers were considered a “frame” as recited in independent claims 1 and 23, such a frame would fail to circumscribe the chamber portion as recited in independent claims 1 and 23. It is clear from the specification and drawings of the present application that the meaning of a frame that circumscribes a chamber portion, in the context of the present application, is that the frame surrounds the chamber portion without covering the chamber portion. See, for example, the present application at page 3, lines 22-24 referencing Figures 1 and 2 (reproduced below), which show “chamber portion 12 circumscribed by a hollow frame 14.” In these drawings, the circumscribing frame 14 clearly does not cover the chamber portion 12, but rather surrounds it without covering it.



Figures 1 and 2 of the Present Application

Thus, even if Pharo were combined with Cohen, the combination would fail to teach or suggest a “frame circumscribing the chamber portion” as that term is used in the present application – and therefore fail to establish *prima facie* obviousness.

The dependent claims include further recitations to those of the claims from which they depend, and therefore are further patentable over the proposed combination of Cohen with Pharo.

V. Conclusion

In view of the amendments to the claims and these remarks, it is respectfully submitted that the present application is in condition for allowance. A notice to that effect is earnestly and respectfully requested.

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